

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

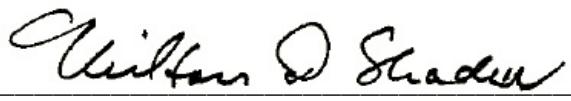
INTERNATIONAL GOLDEN FOODS, INC.,)
)
 Plaintiff,)
)
)
v.) No. 08 C 5695
)
)
BEL OASIS, etc.,)
 Defendant.)

MEMORANDUM ORDER

On October 10, 2008 this Court issued a brief memorandum order directing counsel for International Golden Foods, Inc. ("International") "to file a prompt amendment to the Complaint so that the existence of the required diversity can be confirmed." Despite the passage of more than a month, nothing has been forthcoming from counsel in that respect.

Thomas v. Guardsmark, LLC, 487 F.3d 531, 433-34 (7th Cir. 2007) reconfirms, in a particularly strong statement, the necessity for a plaintiff's establishment of the existence of federal subject matter jurisdiction--particularly in diversity of citizenship cases. Because International has failed to do so as to both of the defendant corporation's states of citizenship despite this Court's express admonition, the Complaint and this action must be and are dismissed for lack of subject matter jurisdiction. Such dismissal is of course without prejudice to International's ability to advance its claim in a state court of

competent jurisdiction.


Milton I. Shadur
Milton I. Shadur
Senior United States District Judge

Date: November 13, 2008